



94TH GENERAL ASSEMBLY
State of Illinois
2005 and 2006
HB4451

Introduced 1/10/2006, by Rep. Daniel V. Beiser

SYNOPSIS AS INTRODUCED:

415 ILCS 105/8

from Ch. 38, par. 86-8

605 ILCS 120/50 new

Amends the Litter Control Act and the Illinois Adopt-A-Highway Act. Provides that a person convicted of violating the Litter Control Act by disposing of litter along a highway may, in addition to any other penalty, be required to maintain litter control, for a period of 30 days, over a designated portion of the highway, including the site where the offense occurred. Provides that the Secretary of Transportation shall adopt rules to implement the Illinois Adopt-A-Highway Act provision.

LRB094 16125 DRH 51365 b

1 AN ACT concerning litter control.

2 **Be it enacted by the People of the State of Illinois,**
3 **represented in the General Assembly:**

4 Section 5. The Litter Control Act is amended by changing
5 Section 8 as follows:

6 (415 ILCS 105/8) (from Ch. 38, par. 86-8)

7 Sec. 8. Persons who violate any of Sections 4 through 7 are
8 subject to the penalties set out in this Section.

9 (a) Any person convicted of a violation of Section 4, 5, 6
10 or 7 is guilty of a Class B misdemeanor. A second conviction
11 for an offense committed after the first conviction is a Class
12 A misdemeanor. A third or subsequent violation, committed after
13 a second conviction is a Class 4 felony.

14 (b) In addition to any fine imposed under this Act, the
15 court may order that the person convicted of such a violation
16 remove and properly dispose of the litter, may employ special
17 bailiffs to supervise such removal and disposal, and may tax
18 the costs of such supervision as costs against the person so
19 convicted.

20 (c) The penalties prescribed in this Section are in
21 addition to, and not in lieu of, any penalties, rights,
22 remedies, duties or liabilities otherwise imposed or conferred
23 by law.

24 (d) A person convicted of violating Section 4 or Section 5
25 of this Act by disposing of litter upon a public highway may,
26 in addition to any other penalty, be required to maintain
27 litter control for 30 days over a designated portion of that
28 highway, including the site where the offense occurred, as
29 provided in Section 50 of the Illinois Adopt-A-Highway Act.

30 (Source: P.A. 85-1410.)

31 Section 10. The Illinois Adopt-A-Highway Act is amended by

1 adding Section 50 as follows:

2 (605 ILCS 120/50 new)

3 Sec. 50. Penalty for Litter Control Act violation.

4 (a) A person convicted of violating Section 4 or Section 5
5 of this Act by disposing of litter upon a public highway may be
6 required to adopt for 30 days a designated portion of that
7 highway, including the site where the offense occurred.

8 (b) Item (2) of Section 30 of this Act does not apply when
9 a person is required to adopt a portion of a highway under this
10 Section.

11 (c) The Secretary of Transportation shall adopt rules for
12 implementing this Section.